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~~FILED FOR THE COURT~~

Attorneys for Plaintiffs MARLO
CUSTODIO and MARILOU CUSTODIO

UNITED STATES DISTRICT COURT
COUNTY OF SANTA CLARA
SAN JOSE DIVISION

MARLO CUSTODIO, ROMEL CUSTODIO,
MARILOU CUSTODIO, and OSCAR "O.J."
CUSTODIO, JR.,

Plaintiffs,

v.

THE COUNTY OF SANTA CLARA,
CALIFORNIA, CITY OF SAN JOSE, CHIEF
ROBERT DAVIS, SGT. EVANS, OFFICERS
EPP, OFFICER MORASCI, OFFICER
TRAN, OFFICER UNGER, OFFICER
DEMARIA, OFFICER JEFFREY, OFFICER
CRAWLEY, OFFICER PURNELL,
OFFICER CAHILL, and DOES 1-50,
inclusive,

Defendants.

Case Number: C09-00527 RMW

**STIPULATION and ~~PROPOSED~~
ORDER RE: DISMISSAL WITHOUT
PREJUDICE OF DEFENDANT
OFFICERS EPP, MORASCI, TRAN,
CRAWLEY, PURNELL, CAHILL and
BARRY.**

PLAINTIFF MARILOU CUSTODIO by and through her attorneys of record in the above-entitled action and pursuant to FRCP 41 (a)(1)(A)(ii) agree to dismiss her entire case against Defendants EPP, MORASCI, TRAN, CRAWLEY, PURNELL, CAHILL, BARRY, and the COUNTY OF SANTA CLARA, without prejudice. The parties further stipulate to bear their own attorney's fees, costs and expenses.

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Stipulation of Dismissal and ~~Proposed~~ Order

C09-00527 RMW

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2 Respectfully submitted,

3 Dated: May 3, 2012

LAW OFFICE OF MICHAEL REISER

4
5 By: /s/ Michael Reiser
6 Michael J. Reiser
7 Attorneys for Plaintiffs MARILOU
CUSTODIO

8 Dated: May 3, 2012

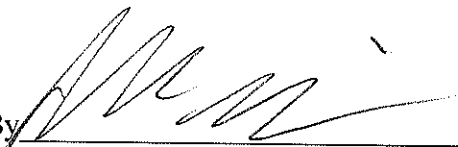
CITY OF SAN JOSE

9
10 By: /s/ Richard North
11 Attorneys for Defendants

12 ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

13 I attest that concurrence in the filing of this document by the signatories, Richard D. North
14 and Michael Reiser, has been obtained, and that a record of the concurrence shall be maintained at
15 the Law Office of Michael Reiser.

16
17 Dated: May 3, 2012


18 By: 
Michael J. Reiser

19 The Court having considered the stipulation of the parties, and good cause appearing therefor,
20 orders as follows:

- 21 1. The action is dismissed without prejudice as against Defendants Epp, Morasci, Tran,
22 Crawley, Purnell, Cahill, Barry, and the County of Santa Clara pursuant to FRCP 41(a)(1)(A).
23 2. Each party shall bear their own costs and attorneys' fees.

24 IT IS SO ORDERED.

25 Dated: JEB BFG

26 
27 Honorable Ronald M. Whyte
28 Senior District Judge
Northern District of California

2